

MARLBORO TOWNSHIP PLANNING BOARD

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NOVEMBER 5, 2008

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THE MEETING OF THE MARLBORO TOWNSHIP PLANNING BOARD WAS CALLED TO ORDER BY THE PLANNING BOARD CHAIRMAN LARRY JOSEPHS AT THE MARLBORO TOWNSHIP OFFICES, 1979 TOWNSHIP DRIVE, MARLBORO AT 8:00P.M.

MR. JOSEPHS READ THE MEETING NOTICE, ADEQUATE NOTICE PURSUANT TO THE OPEN PUBLIC MEETING ACT OF 1977 HAS BEEN GIVEN OF THIS MEETING BY PUBLICATION IN THE ASBURY PARK PRESS, AND BY POSTING IN THE MUNICIPAL BUILDING IN THE TOWNSHIP OF MARLBORO AND FILED IN THE TOWNSHIP CLERK'S OFFICE.

ROLL CALL

**PRESENT ... MR. BERGH, MS. FERNANDEZ, MR. GUPTA, MR. HUSAIN,
MR. JOSPEHS, MAYOR HORNIK**

**ABSENT... MR. BARENBURG, MR. POLLAK, COUNCILMAN LAROCCA,
MR. HEGT, MR. PARGAMENT**

PROFESSIONALS PRESENT...

SALUTE THE FLAG

CITIZENS VOICE

Pat Korbiak spoke

A motion to approve/amend the minutes of September 17, 2008 was offered by Mr. Bergh, seconded by Mr. Gupta. In favor: Mr. Bergh, Mr. Gupta, Mr. Husain, Mr. Josephs, Mayor Hornik.

A motion to approve/amend the minutes of October 15, 2008 was offered by Mr. Bergh, seconded by Ms. Fernandez. In favor: Mr. Bergh, Ms. Fernandez, Mr. Husain, Mr. Josephs, Mayor Hornik.

P.B. 970-06 WILDFLOWER/ORLEANS – MEMORIALISATION OF RESOLUTION

This resolution will be carried to the meeting of December 3, 2008.

P.B. 1021-08 BELLA VISTA COUNTRY CLUB – MEMORIALIZATION OF RESOLUTION GRANTING A WAIVER OF SITE PLAN TO CONSTRUCT A 10’ X 10’ STORAGE BUILDING

A motion in the affirmative was offered by Ms. Fernandez, seconded by Mr. Husain. In favor: Mr. Bergh, Ms. Fernandez, Mr. Husain, Mr. Josephs.

P.B. 1023-08 SAM VERA RESTAURANT – MEMORIALIZATION OF RESOLUTION GRANTING A WAIVER OF SITE PLAN TO ENCLOSE THE FIRST AND SECOND FLOOR PORCH AREAS

A motion in the affirmative was offered by Mr. Husain, seconded by Ms. Fernandez. In favor: Mr. Bergh, Ms. Fernandez, Mr. Husain, Mr. Josephs, Mayor Hornik.

REDEVELOPMENT STUDY – PUBLIC HEARING

Syed Husain stepped down from this application.

Michael Herbert, Esq. noted that the affidavit of publication and notice to adjoining property owners have been reviewed and are in order, therefore, the Board has the jurisdiction to hear this matter.

The Marlboro Township Governing body directed the Planning Board to investigate and hold a hearing with regard to Block 180 Lot 14, as to whether or not it qualified as an “area in need of redevelopment”.

Fred Heyer from Heyer, Gruel & Associates was sworn in. and addressed the Board. He reviewed the redevelopment criteria stating that the parcel is owned by the Township and fits under Section “C” or the Redevelopment Law which states that unimproved land can be designated for redevelopment even where there is a lack of developable land.

PUBLIC HEARING OPENED

Mr. Greg Nuber – Angelique Court was sworn in.

He asked what could be done with this property since approximately 90% of it has environmental constraints.

He Heyer answered that about 6 acres could be used for open space and other parts of the property could be used for the solar panel farm.

PUBLIC HEARING CLOSED

Mayor Hornik stated that the Township envisioned future uses for the property that could include a park with recreation and open space. There is an easement on the property for a solar energy farm previously approved by the Board.

A motion in the affirmative was offered by Mayor Hornik, seconded by Mr. Bergh. In favor: Mr. Bergh, Ms. Fernandez, Mr. Gupta, Mr. Josephs, Mayor Hornik.

P.B. 929-05 OLD MILL ESTATES FINAL MAJOR SUBDIVISION

Gerry Sonnenblick, Esq. represented the applicant. This application is for final major subdivision approval to develop a 9.58 acre tract of land in the R-20 zone. Preliminary approval was granted to subdivide the property into 11 lots to be served by a cul de sac street. The approval was conditioned on submission of a final plan that relocated the proposed cul de sac to enter within the subdivision. An existing dwelling would remain on one lot. Nine new single family dwellings would be constructed on nine lots. A stormwater management basin would be constructed on one lot that will be dedicated to the Township.

After testimony from Lorali Toten, the Board decided there were still many outstanding issues that were not addressed. The Board professionals also agreed that the applicant still has not addressed many of their comments.

This application is being carried to the meeting of January 7, 2009 for date only. No further notice is required.

P.B. 1011-08 KNOWLEDGE BEGINNINGS – PUBLIC HEARING PRELIMINARY & FINAL SITE PLAN

Mr. Herbert, Esq. noted that the affidavit of publication and notice to adjoining property owners have been reviewed and are in order, therefore the Board has the jurisdiction to hear this matter.

Gerald Sonnenblikl, Esq. represented the applicant. The site is 2.9 acres and contains 300 ft. of frontage along the west side of Route 79, approximately 200 feet south of the Old Mill Road intersection in the C-5 zone, Block 414 Lots 3 & 4. Lot 3 contains a frame dwelling, an accessory building, an accessory shed and a gravel drive from Route 79. Lot 4 is vacant with the exception of a gravel drive to Route 79.

The applicant proposes to demolish the existing family residence, garage and shed and to construct a 9,975 s.f. childcare facility.

The following were sworn in:

Jennifer Beahm – P.P. Birdsall Engineering
Matt Taylor – Knowledge Beginnings
Steven Atkin – P.E. Kenderian Zilinski
Carmine Casola – Applicant

Steven Atkin testified on behalf of the applicant. There are several existing nonconformities:

1. Minimum required lot areas 5 acres; 2.9 acres is provided
2. Minimum required lot width is 400 feet; 300 feet is provided
3. Minimum required lot frontage is 400 feet; 300 feet is provided

The applicant is requesting the following variances:

1. No parking shall be permitted within 30 feet of the outer walls of structure;
12 feet is proposed along the front of the building
2. Parking required, 50 spaces , 39 spaces are proposed

The following variances appear necessary:

1. No septic tank shall be constructed within 200 feet of any property line;
10 feet is proposed along the side and rear property lines
2. Maximum grade for lawns more than 5 feet from a building is 25%; the
proposed grade exceeds 25% along the side property lines
2. Where the property line of a proposed commercial lot abuts a residential use
in a nonresidential zone, 1 40 foot wide landscape buffer shall be provided;
no buffer has been proposed along the rear property line adjoining Lot 7.

Due to the late hour, this application is being carried to the meeting of January 7, 2009 to assign a date only. No further notice is required.

A motion to adjourn was offered by Mayor Hornik, seconded by Mr. Husain. One vote was cast.

Respectfully submitted

Donna Pignatelli